

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STEPHEN DAYNE BRADFORD

Petitioner,

VS.

NATHANIEL QUARTERMAN, Director  
Texas Department of Criminal Justice,  
Correctional Institutions Division

Respondent.

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NO. 3-07-CV-1377-M

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge dated November 27, 2007, the Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Petitioner's position that the prior federal writ tolls the running of limitations is incorrect, as held by the United States Supreme Court in *Duncan v. Walker*, 533 U.S. 167 (2001).

IT IS, THEREFORE, ORDERED that the Findings and Recommendation of the United States Magistrate Judge are accepted.

SO ORDERED this 30<sup>th</sup> day of January, 2008.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS